

1 JOHN R. HANSON, ESQ.

Nevada State Bar No. 13141

2 **WORTHE HANSON & WORTHE**

3 A Law Corporation

1851 E First Street, Suite 860

4 Santa Ana, CA 92705

5 Telephone (714) 285-9600

Facsimile (714)285-9700

6 E-Mail: [jhanson@whwlawcorp.com](mailto:jhanson@whwlawcorp.com)

7 Attorneys for Defendant, THE STANDARD FIRE INSURANCE COMPANY

8 Stephen G. Clough, Esq.

9 Maier Gutierrez & Associates

8816 Spanish Ridge Avenue

10 Las Vegas, NV 89148

11 Office: (702) 629-7900

Fax: (702) 629-7925

12 E-Mail: [jag@mgalaw.com](mailto:jag@mgalaw.com); [sgc@mgalaw.com](mailto:sgc@mgalaw.com)

13 ATTORNEYS FOR PLAINTIFF, ALISON MULLANEY

14 **UNITED STATE DISTRICT COURT**

15 **DISTRICT OF NEVADA**

16 ALISON MULLANEY, an Individual.

17 Plaintiff,

18 v.

19 THE TRAVELERS INDEMNITY  
20 COMPANY, a foreign Corporation;  
21 DOES I through X, inclusive; and ROE  
22 CORPORATIONS I through X,  
inclusive.

23 Defendants.

**CASE NO.: 2:23-cv-01530-JAD-BNW**

**JOINT DISCOVERY PLAN AND  
SCHEDULING ORDER  
[SUBMITTED IN COMPLIANCE  
WITH L.R. 16-1(B)]**

28 Plaintiff, Alison Mullaney ("Plaintiff"), by and through her counsel of record

Stephen Clough, of Maier Gutierrez & Associates, and Defendant, The Standard Fire Insurance Company ("Defendant"), by and through its counsel of record, John R. Hanson, of Worthe Hanson & Worthe, hereby submit this Proposed Joint Discovery Plan and Scheduling Order.

**Fed.R.Civ.P.26(f) Conference.**

The parties participated in the FRCP 26(f) conference on October 16, 2023, and there were no discovery disputes at that time. The parties agreed to exchange their respective initial disclosure statements in a timely manner. After discussing the evidence in this case, counsel for the parties believe that one hundred eighty (180) days will be sufficient to complete discovery and be prepared for trial.

Accordingly, counsel now propose the following discovery plan:

**1. Discovery Cut-Off Date:** Defendant filed its Notice of Removal on September 27, 2023. Prior to filing the Notice of Removal, the parties had not begun discovery. Based on the evidence reviewed by counsel, the parties are requiring one hundred eighty (180) days for discovery.

At present, counsel believe that one hundred eighty (180) days of discovery should allow the parties to complete discovery before trial.

In summary, the parties request one hundred eighty (180) days from the date of the FRCP Rule 26 discovery conference which equates to a discovery cut-off date of March 25, 2024 - 180 days after the FRCP Rule 26 conference.

**2. Amending the Pleadings and Adding Parties:** The parties request that all motions to amend the pleadings or to add parties be filed no later than December 18, 2023 - 90 days prior to the proposed close of discovery.

**3. Fed.R.Civ.P.26(a)(2) Disclosures (Experts):** The parties request the disclosure of experts be made on or before January 25, 2024 - 60 days before the proposed discovery cut-off date.

Disclosure of rebuttal experts shall be made by February 26, 2024 - 31 days after the initial disclosure of experts.



1       **4. Interim Status Report:** Under recent changes in the rules, the parties will  
 2 not file an interim status report previously required by LR 26-3.

3       **5. Dispositive Motions:** The date for filing dispositive motions shall be no  
 4 later than February 26, 2024- 30 days after the proposed discovery cut-off date.  
 5 In the event that the discovery period is extended from the discovery cut-off date  
 6 set forth in this proposed Discovery Plan and Scheduling Order, the date for filing  
 7 dispositive motions shall be extended to be not later than 30 days from the  
 8 subsequent discovery cut-off date.

9       **6. Pretrial Order:** The date for filing the joint pretrial order shall not be  
 10 later than February 28, 2024 - 32 days after the cut-off date for filing dispositive  
 11 motions. In the event that dispositive motions are filed, the date for filing the joint  
 12 pretrial order shall be suspended until 30 days after decision on the dispositive  
 13 motions or until further order of the court. In the further event that the discovery  
 14 period is extended from the discovery cut-off date set forth in this Discovery Plan  
 15 and Scheduling Order, the date for filing the joint pretrial order shall be extended  
 16 in accordance with the time periods set forth in this paragraph.

17       **7. Fed.R.Civ.P.269(a)(3) Disclosures:** The disclosures required by  
 18 Fed.R.Civ.P.26(a)(3), and any objections thereto, shall be included in the joint  
 19 pretrial order.

20       **8. Alternative Dispute Resolution:** Counsel for the parties certify that they  
 21 met and conferred about the possibility of using alternative dispute resolution  
 22 including mediation, arbitration and/or an early neutral evaluation. The parties  
 23 agree that an early neutral evaluation would be effective at this time. The parties  
 24 and their counsel believe that it is still necessary to conduct some discovery before  
 25 attempting to resolve this case. Counsel agreed to a private mediation, the dates are  
 26 still being discussed.

27       **9. Alternative Forms of Case Disposition:** The parties certify that they  
 28 discussed consenting to trial by a magistrate judge or engaging in the Short Trial

1  
2 Program under Fed.R.Civ.P., and at present do not consent to either alternative  
3 forms of case disposition.

4 **10. Electronic Evidence:** The parties certify that they have discussed and  
5 intend to use electronic evidence at the trial of this matter and will ensure that said  
6 evidence is in an electronic format compatible with the Court's electronic jury  
7 evidence display system. At present, the parties have not agreed upon any  
8 stipulations regarding use of electronic evidence but will address this issue again in  
9 the Pre Trial Order.

10 **11. Extensions of Modifications of the Discovery Plan and Scheduling**  
11 **Order:** Any stipulation or motion must be made no later than 21 days before the  
12 subject deadline. Requests to extend discovery deadlines must comply fully with  
13 L.R. 26-3.

14 Respectfully submitted this 26th day of October, 2023.

15 **WORTHE HANSON & WORTHE**

16 By: /s/ John R. Hanson

17 JOHN R. HANSON, ESQ.

18 Attorneys for Defendant, THE  
19 STANDARD FIRE INSURANCE  
20 COMPANY

21 **MAIER GUTIERREZ & ASSOCIATES**

22 By: /s/ Stephen Clough

23 STEPHEN CLOUGH, ESQ.

24 Attorneys for Plaintiff, ALISON  
25 MULLANEY

26 **ORDER**

27 **IT IS SO ORDERED.**

28   
UNITED STATES MAGISTRATE JUDGE  
DATED: 10/27/2023



## PROOF OF SERVICE

STATE OF CALIFORNIA)  
 )ss  
 COUNTY OF ORANGE )

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is 1851 East First Street, Suite 860, Santa Ana, California 92705.

On October 26, 2023, I served the foregoing document described as: **Joint Discovery Plan and Scheduling Order [Submitted in Compliance with L.R. 16-1(b)]** to all interested parties in said action by:

☐ BY FACSIMILE TRANSMISSION from FAX No. (714)285-9700 to the FAX number(s) listed below. The facsimile machine I used complied with Rule 2003(3) and no error was report by the machine. Fax Number(s):

☐ BY PERSONAL SERVICE as follows: I caused such envelope to be delivered by hand to the offices of the addressee.

☒ BY THE E.C.F. SYSTEM as follows:

☐ BY ELECTRONIC MAIL as follows: jag@mgalaw.com; sgc@mgalaw.com

☐ BY MAIL as follows:

☐ placing ☐ the original ☐ a true copy thereof in a sealed envelope addressed as stated on the ATTACHED MAILING LIST.

☐ I deposited such envelope in the mail at Santa Ana, California. The envelope was mailed with postage thereon fully prepaid.

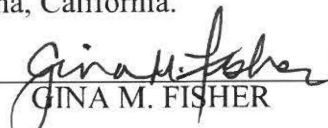
☐ I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Santa Ana, California in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.

☐ BY PRIORITY OVERNIGHT DELIVERY (VIA FEDERAL EXPRESS): I deposited such an envelope in a box or other facility regularly maintained by express service carrier, or delivered to an authorized courier or driver authorized by the express service carrier to receive documents in an envelope or package designated by the express service carrier with delivery fees paid or provided for, addressed to the person on whom it is to be served as indicated on the attached Service List, at the office address as last given by that person on any document filed in the case and served o the party making service.

☐ STATE - I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☒ FEDERAL - I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on October 26, 2023, at Santa Ana, California.

  
 GINA M. FISHER

PROOF OF SERVICE

WORTHE, HANSON & WORTHE  
 1851 EAST FIRST ST., SUITE 860  
 SANTA ANA, CALIFORNIA 92705  
 TELEPHONE: (714) 285-9600

SERVICE LIST

*Mullaney v. The Travelers Indemnity Company, et al.*  
USDC Case No. 2:23-cv-01530-JAD-BNW

Joseph A. Gutierrez, Esq.  
Stephen G. Clough, Esq.  
Maier Gutierrez & Associates  
8816 Spanish Ridge Avenue  
Las Vegas, NV 89148  
Office: (702) 629-7900  
Fax: (702) 629-7925  
E-Mail: [jag@mgalaw.com](mailto:jag@mgalaw.com); [sgc@mgalaw.com](mailto:sgc@mgalaw.com)  
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SANTA ANA, CALIFORNIA 92705  
TELEPHONE: (714) 285-9600